FILED
BRYAN MUNICIPAL COURT
Dec 2, 2025 - 08:52:46 AM

IN THE BRYAN MUNICIPAL COURT
IN AND FOR WILLIAMS COUNTY, OHIO

STATE OF OHIO

v.

JEREMY LEE SHEPHERD
Case No. CRB2400102
Judge: Hon. Ken L. North

RESPONSE TO PROBATION VIOLATION REPORT AND MOTION TO DISMISS

Defendant Jeremy Lee Shepherd respectfully moves this Court to dismiss the November 25, 2025 probation violation report on the following grounds:

I. RETALIATION AFTER ASSERTING FEDERAL RIGHTS

Nov. 14: ADA accommodation filed

Nov. 21: Motion to Vacate filed

Nov. 24 (1:49 PM): Probation officer threatens violation

Nov. 24 (2:43 PM): Defendant responds asserting ADA rights

Nov. 25: Violation report filed

This timeline shows retaliation — prohibited by 42 U.S.C. § 12203 — for asserting federal disability rights and engaging in protected speech.

II. DISABILITY & CIRCUMSTANCES PREVENT COMPLIANCE WITHOUT ACCOMMODATION

Disability: Bipolar disorder, SSDI recipient, severe anxiety triggered by legal proceedings

Homelessness: Lost housing and job due to this case

Safety Threats: Harassed in public and courthouse parking lot — cannot safely appear in person

III. DEFENDANT HAS BEEN COOPERATIVE

Defendant explained his condition and requested reasonable accommodations. He expressed respect, offered good faith solutions, and showed intent to comply — but cannot do so under current terms.

IV. REAL-TIME MEETINGS ARE NOT FEASIBLE

Due to:

Disability-related cognitive and anxiety limitations

Risk of further retaliation

Unstable access to technology or private space (homeless)

Written communication and email check-ins are reasonable and effective accommodations under 28 C.F.R. § 35.130(b)(7).

V. INAPPROPRIATE ACTIONS BY PROBATION OFFICER

Threatened a report instead of providing support or alternatives

Recommended therapy (without qualification)

Filed a violation the day after ADA rights were asserted

This violates the ADA's requirement to accommodate, not punish disabled persons.

Any further punitive action taken in response to my protected filings will be treated as retaliation under 42 U.S.C. § 12203.

VI. RELIEF REQUESTED

Defendant respectfully asks the Court to:

1. Dismiss the probation violation report as retaliatory

2. Order accommodations, including:

Written/email check-ins

No in-person appearance

3. Stay probation enforcement pending ruling on ADA and Motion to Vacate

4. Find substantial compliance given Defendant's documented efforts and barriers

VII. SEALED REPORT VIOLATES DUE PROCESS AND REQUIRES DISMISSAL

The November 25 probation violation report has been marked as "sealed" and has not been provided to the Defendant. This makes it impossible for the Defendant to know what statements or accusations are being used against him, denying him the ability to defend himself, clarify facts, or correct any misunderstandings.

This violates basic due process under the Fourteenth Amendment of the U.S. Constitution and Article I, Section 16 of the Ohio Constitution. Probation violation proceedings require advance notice, full access to the alleged grounds, and an opportunity to respond — none of which are possible when the report is hidden.

The Defendant cannot respond to something he is not allowed to see. The only sealed materials permitted by law are those protected by statute or specific court order. No such order has been entered, and there is no legal justification for keeping the Defendant in the dark while threatening him with incarceration or sanctions.

If the Court cannot disclose the content of the alleged violation, then the violation must be dismissed.

VIII. CONCLUSION

This is not defiance — it's disability.
This is not avoidance — it's federal law.
The Court should dismiss this violation and grant the accommodation required by law.

Respectfully submitted,
/s/ Jeremy Lee Shepherd
Pro Se | Email: jeremyshepherd07@outlook.com
Dated: December 1st, 2025

CERTIFICATE OF SERVICE

A true and accurate copy was served via email to:
City Prosecutor James Duranczyk – pnickolite@cityofbryan.com
Probation Officer Kelly Tietje – ktietje@cityofbryan.com
Date: December 1st, 2025
/s/ Jeremy Lee Shepherd